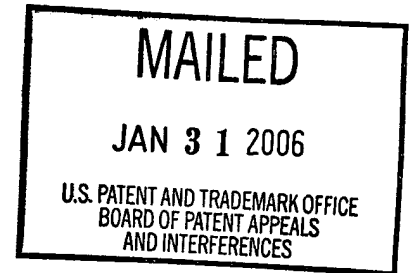


The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte DAN EDWARD CURTIS,
DOREEN LYNN GALLI and
CHRYSTINE MARIE RAHEB



Application No. 09/810,629

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on January 10, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

EXAMINER'S ANSWER

On October 20, 2005, an Examiner's Answer was mailed. A review of the Examiner's Answer reveals that it is not in compliance with the headings, specifically the identification of the References of Record, as set forth in the new rules which went into affect

Application No. 09/810,629

September 13, 2004. Accordingly, the Examiner's Answer does not comply with the new rules under 37 CFR § 41.37.

Accordingly, it is

ORDERED that the application is returned to the examiner to:

- 1) to vacate the Examiner's Answer mailed October 20, 2005;
- 2) generate a revised Examiner's Answer to include all required headings

as set forth under 37 CFR § 41.37; and

- 3) for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e. abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

A handwritten signature in black ink, appearing to read 'Dale M. Shaw', is written over a horizontal line.

DALE M. SHAW
Program and Resource Administrator
(571) 272-9797

DMS/dpv

Application No. 09/810,629

Jack Friedman
Schmeiser, Olsen & Watts
3 Lear Jet Lane
Suite 201
Latham, NJ 12110